



April 23, 2015

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Honorable Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007

Re: Schwartz v. Intimacy in New York
Case No.: 13-CV-5735

Dear Honorable Judge Gardephe:

This firm represents the Defendants in the above-referenced matter. On April 17, 2015, the court entered an order granting preliminary approval of the Class Action Settlement. In doing so, the Court approved the draft forms that were submitted for both Publication Notice and Direct Notice. In compliance with the court order and in beginning the process of undertaking both the Direct Notice and Publication Notice, the parties have agreed that two very minor revisions to both the Direct Notice and Publication Notice would clarify the options of the class members. Specifically, as to the Direct Notice form, the class members will now be specifically advised that they must submit a claim form if they did not receive the Direct Notice form in the mail. In addition, those parties receiving Publication Notice will now be advised of the specific deadline to submit the claim form.

The parties are in mutual agreement that these modifications further clarify the options of the class members and are to the benefit of the class members. The parties do however feel obligated to advise the Court of these two changes.

We thank the Court for its time and attention.

Respectfully,

COZEN O'CONNOR

A handwritten signature in black ink, appearing to read "Vincent P. Pozzuto", written over a horizontal line.

By: Vincent P. Pozzuto

VP:ad

cc: Robert Lash
Bryant T. Lamer
Shimshon Wexler

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